

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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11/16/2018 2:06 pm

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: U.S. DISTRICT COURT
: EASTERN DISTRICT OF NEW YORK
UNITED STATES OF AMERICA, : LONG ISLAND OFFICE
: 15-CR-00242 (JFB)
: 100 Federal Plaza
v. : Central Islip, New York
: September 26, 2016
MICHAEL BELFIORE, :
: Defendant. :
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TRANSCRIPT OF CRIMINAL CAUSE FOR STATUS CONFERENCE
BEFORE THE HONORABLE JOSEPH F. BIANCO
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Plaintiff: CHARLES P. KELLY, ESQ.
United States Attorney's Office
610 Federal Plaza
Central Islip, New York 11722

For the Defendant: LUCIA MARIA CIARAVINO, ESQ.
Law Office of Thomas F. Liotti, LLC
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Garden City, New York 11530

Court Transcriber: SHARI RIEMER, CET-805
TypeWrite Word Processing Service
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Saratoga Springs, New York 12866

Proceedings recorded by electronic sound recording, transcript
produced by transcription service

1 (Proceedings began 1:30 p.m.)

2 THE CLERK: Calling Case 15-CR-00242, USA v. Michael
3 Belfiore.

4 Counsel, please state your appearance for the
5 record.

6 MR. KELLY: For the Government, Assistant U.S.
7 Attorney Charles P. Kelly. Good afternoon, Your Honor.

8 THE COURT: Good afternoon, Mr. Kelly.

9 MS. CIARAVINO: For Dr. Belfiore, Lucia Maria
10 Ciaravino, the Law Offices of Thomas F. Liotti, 600 Old
11 Country Road, Suite 530, Garden City. Good afternoon, Your
12 Honor.

13 THE COURT: Good afternoon. Mr. Belfiore is present
14 as well.

15 MS. CIARAVINO: Yes, Your Honor.

16 THE COURT: We had scheduled this as a status
17 conference, so I'll hear from the lawyers starting with the
18 Government.

19 MR. KELLY: Your Honor, we've produced discovery.
20 And the defendants have asked for transcripts of some of the
21 tapes or videotapes we've turned over, and we're going to look
22 into that. And we've had some discussions, and we think it's
23 appropriate to put the case over in the hopes that we can
24 resolve it by the adjourn date, November 30th.

25 THE COURT: Okay. Is that accurate?

1 MS. CIARAVINO: That's accurate, Your Honor. We did
2 transmit a discovery letter to the Government on August 30th.
3 We have received some discovery in response to that. And we
4 did receive some videos of which we are asking now for the
5 transcription of those videos so that we can analyze those.

6 THE COURT: Okay. And you want to adjourn until
7 November 30th?

8 MS. CIARAVINO: Yes, Your Honor.

9 THE COURT: Your client's willing to exclude the
10 time?

11 MS. CIARAVINO: Yes.

12 THE COURT: Okay. Let me just confirm that. Dr.
13 Belfiore, you heard the attorneys. They want to adjourn your
14 case until November 30th so that you and your attorneys can
15 review this additional discovery that the Government is going
16 to look into and to negotiate with the Government if you wish
17 and just generally to decide how you wish to proceed with
18 respect to the case. By signing this waiver you're agreeing
19 to exclude the time under the Speedy Trial Act until November
20 30th for those purposes. Is that what you want to do?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: Okay. So I'll grant that request.
23 We'll adjourn the case until November 30th at --

24 THE CLERK: 1:00.

25 THE COURT: -- 1:00 p.m. I exclude the time from

1 today until November 30th under Title 18, U.S.C. Section
2 3161(h)(7)(A) for the reasons I just stated, the need for
3 defense counsel and their client to review the discovery,
4 engage in plea negotiations, and decide how they wish to
5 proceed. I find that the ends of justice served by granting
6 the continuance outweigh the best interest of both the public
7 and the defendant in a speedier trial. And I have so ordered
8 the waiver.

9

10 All right. Is there anything else for today?

11 MR. KELLY: No, Your Honor. Thank you.

12 MS. CIARAVINO: No, Your Honor. Thank you very
13 much.

14 THE COURT: All right. Have a good day.

15 (Proceedings concluded at 1:33 p.m.)

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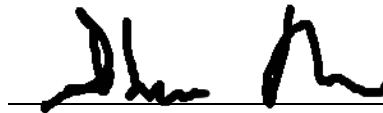
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1 I certify that the foregoing is a court transcript from
2 an electronic sound recording of the proceedings in the above-
3 entitled matter.

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7 Shari Riemer, CET-805

8 Dated: November 14, 2018
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